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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,543	12/13/2001	Arlen L. Roesner	10014774 -1	8101

7590 11/26/2004
HEWLETT-PACKARD COMPANY
Intellectual Property Administration
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EXAMINER	
CHERVINSKY, BORIS LEO	
ART UNIT	PAPER NUMBER
2835	

DATE MAILED: 11/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/017,543

Applicant(s)

ROESNER ET AL.

Examiner

Boris L. Chervinsky

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 April 2004.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
4a) Of the above claim(s) 1-9, 12 and 22-30 is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 10, 11 and 13-21 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) ✓
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☒ Other: CLMPTO - 2 pages ✓

DETAILED ACTION

The examiner acknowledges the Decision on Appeal by The Board Of Patent Appeals and Interferences that affirms the ground of rejection of appealed claims 1-9, 12 and 22-30, therefore claims 1-9, 12 and 22-30 are withdrawn from consideration and canceled.

The Board of Patent Appeals and Interferences reversed the grounds of rejection of appealed claims 10, 11 and 13 -21. The new grounds of rejection of claims 10, 11 and 13-21 as follows.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10, 13-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Green et al. in view of Brzezinski and further in view of Lee et al.

Green discloses the assembly comprising a thermal interface disposed between a heat sink 42 and a heat generating electronic component 41, the thermal interface having a carrier 44 made of either metal foil, such as aluminum foil (col. 8, lines 26-27) or thermally conductive plastic sheet, the carrier having a layer of a phase-change material 45 on one side and a layer of a pliable thermally conductive material 46 on the other side (col. 3, line 65). Green discloses the claimed invention but having the pliable thermally conductive material being the phase change material therefore having that material on both sides of the carrier. Brzezinski

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discloses the thermal interface arrangement having the phase change material 58 (col. 6, lines 33-35) on one side of the carrier 56 and thermal grease on the opposite side of the carrier (col. 7, lines 12-16) It would have been obvious at the time the invention was made to a person having ordinary skill in the art to apply phase change material on only one side of the carrier as disclosed by Green and have just any other pliable thermally conductive material, such as thermal grease, on the other side as disclosed by Brzezinski because:

- a. the pliable thermally conductive materials such as grease are well known and widely used as indicated by Green, col. 2, lines 27-33;
- b. to apply the thermal grease on one side of the carrier can be more economical since thermal grease is readily available and inexpensive;
- c. the thermal grease layer can be applied to the carrier in any desirable thickness;
- d. the thermal grease layer can be field applied on the carrier and does not need to be prefabricated as it may be the case with phase change material, therefore such modification to the thermal interface disclosed by Green would be a justified option.

Green in view of Brzezinski discloses the claimed invention except a removable protective cover. Lee et al. disclose the removable protective cap 56 to protect thermal grease 40 prior to installation. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the protective removable cap as disclosed by Lee et al. in the device disclosed by Green et al. in view of Brzezinski in order to protect pliable surface or thermal grease.

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2. Claims 10, 11, 13 through 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Green et al. in view of Brzezinski and further in view of Hinshaw et al. Green in view of Brzezinski discloses the claimed invention as shown above except a removable protective covering comprising a peelable backing. Hinshaw et al. disclose peelable backing 110 placed on top of the material such as thermal grease 100 (see abstract). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have peelable backing as disclosed by Hinshaw in the arrangement disclosed by Green et al. in view of Brzezinski to protect the thermal grease from contamination and migration.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Boris L. Chervinsky whose telephone number is 571-272-2039. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn D. Feild can be reached on 571-272-2800 ext. 35. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BORIS CHERVINSKY
PRIMARY EXAMINER

Boris L. Chervinsky
11/18/11

Lynn Feld
LYNN FELD
SUPERVISORY PATENT EXAMINER
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Approved
[Signature]

RICHARD K. SEIDEL
DIRECTOR
TECHNOLOGY CENTER 2800